

LAWRENCE & LAWRENCE LAW, PLLC
Nathan E. Lawrence, NBN 15060
Joseph P. Lawrence, NBN 16726
9480 S. Eastern Ave., Ste. 213
Las Vegas, Nevada 89123
Telephone: 702-534-6556
Facsimile: 702-602-5168
nathan@law2esq.com
joseph@law2esq.com
Attorneys for Plaintiff Hannah Hale Hoekstra

**UNITED STATES DISTRICT COURT
DISTRICT OF NEVADA**

HANNAH HALE HOEKSTRA, an individual,

Plaintiff,

v.

PERSHING COUNTY (Nevada) SHERIFF'S
OFFICE; DONNA ROBINSON, an individual;
DEPUTY BOYER, an individual; and P.
ZOHOVETZ, an individual; collectively,

Defendants.

Case No.: 3:24-cv-00392-MMD-CSD

**ORDER GRANTING STIPULATION
AND ORDER TO EXTEND TIME FOR
PLAINTIFF'S RESPONSE TO
FEDERAL DEFENDANT'S MOTION
TO DISMISS OR, IN THE
ALTERNATIVE, MOTION FOR
PARTIAL SUMMARY JUDGMENT
[ECF Nos. 23, 24]**

(First Request)

Pursuant to Fed. R. Civ. P. 6(b)(1) and Local Rules IA 6-1, IA 6-2, and 26-3, Plaintiff HANNAH HALE HOEKSTRA ("Plaintiff" or "Ms. Hoekstra"), by and through her attorneys of the law firm of LAWRENCE & LAWRENCE LAW, PLLC, and Defendant RANGER PAUL ZOHOVETZ ("Federal Defendant" or "Zohovetz"), by and through JASON FRIERSON, United States Attorney, hereby submit this Stipulation and Order to Extend Time for Plaintiff's Response to Federal Defendant's Motion to Dismiss or, in the alternative, Motion for Partial Summary Judgment [ECF Nos. 23, 24].

This is the first stipulation to extend the response deadline, and this stipulation is presented to the Court in advance of the current respective deadlines of December 30, 2024, and January 6,

2025. For the foregoing reasons and as is more fully explicated below, the Parties stipulate to and respectfully request that this Court extend the response deadline in this matter and with respect to the alternate motions until January 20, 2025.

I. RELEVANT PROCEDURAL HISTORY

1. On August 31, 2024, Plaintiff her Complaint [ECF No. 1] herein.

2. On October 29, 2024, and November 13, 2024, the parties stipulated to extend the time for the Federal Defendant's response until December 19, 2024. *See* ECF Nos. 11, 13, 14, and 15.

3. On December 16, 2024, Defendant Zohovetz filed his Motion to Dismiss [ECF No. 23] or, in the alternative, Motion for Partial Summary Judgment [ECF No. 24].

II. LEGAL STANDARD

Fed. R. Civ. P. Rule ("FRCP") 6(b)(1) governs extensions of time and allows, in relevant part, that "[w]hen an act may or must be done within a specified time, the court may, for good cause, extend the time: (A) with or without motion or notice if the court acts, or if a request is made, before the original time or its extension expires." If additional time for any purpose is needed, the proper procedure is to present a request for extension of time before the time fixed has expired. *Canup v. Mississippi Val. Barge Line Co.*, 31 F.R.D. 282 (W.D. Pa. 1962). An extension of time may always be sought and is usually granted on a showing of good cause if timely made under subdivision (b)(1) of [FRCP 6]. *Creedon v. Taubman*, 8 F.R.D. 268 (N.D. Ohio 1947). Also, a district court possesses the inherent power to control its own docket. *Hamilton Copper & Steel Corp. v. Primary Steel, Inc.*, 898 F.2d 1428, 1429 (9th Cir. 1990); *Olivia v. Sullivan*, 958 F.2d 272, 273 (9th Cir. 1992).

LR IA 6-1 additionally requires that a motion to extend time must state the reasons for the extension requested. LR 26-3 requires that a motion to extend any date set by the discovery plan, scheduling order, or other order must, as well as satisfying the requirements of LR IA 6-1, demonstrate good cause for the extension.

1 **III. ARGUMENT**

2 As noted above, on December 16, 2024, Defendant Zohovetz filed his Motion to Dismiss
3 [ECF No. 23] or, in the alternative, Motion for Partial Summary Judgment [ECF No. 24], with
4 respective deadlines for response, in the normal course, on December 30, 2024, and January 6,
5 2025. Accordingly, under FRCP 6.1(b)(1), the instant Stipulation for extension of time is timely
6 filed with respect to the upcoming response deadlines.

7 Plaintiff's counsel was out of the country when Federal Defendant's motions were filed
8 and returned on December 21, 2024, immediately prior to the Christmas holiday which further
9 prevented the expedient development of responses to Federal Defendant's comprehensive
10 motions. The Parties stipulate that the noted circumstances constitute good cause for a brief
11 extension of time for Plaintiff's responses. Accordingly, the Parties are amenable to and request
12 approval by the Court of an extension for Plaintiff's Response to both motions until January 20,
13 2025.

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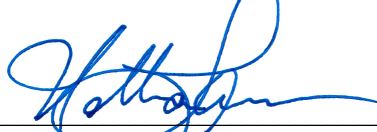
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IT IS SO STIPULATED.

DATED this 30th day of December 2024.

LAWRENCE & LAWRENCE LAW, PLLC



Nathan E. Lawrence, NBN 15060
Joseph P. Lawrence, NBN 16726
9480 S. Eastern Ave., Ste. 213
Las Vegas, Nevada 89123
Telephone: 702-534-6556
Facsimile: 702-602-5168
nathan@law2esq.com
joseph@law2esq.com
Attorneys for Plaintiff

DATED this 30th day of December 2024.

JASON FRIERSON, U.S. Attorney
District of Nevada, Nevada Bar No. 7709

/s/ R. Thomas Colonna

R. THOMAS COLONNA
Assistant United States Attorney
501 Las Vegas Blvd. So., Suite 1100
Las Vegas, Nevada 89101
Telephone: 702-388-6336
Email: richard.colonna@usdoj.gov
Attorneys for the United States

IT IS SO ORDERED.

DATED: December 31, 2024



UNITED STATES DISTRICT JUDGE